

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter \_\_\_\_

Case No. \_\_\_\_ - \_\_\_\_ (\_\_\_\_)

,  
Debtor(s).  
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**LOSS-MITIGATION ORDER**

- ☐ A Loss Mitigation Request<sup>1</sup> was filed by the debtor on *[Date]* \_\_\_\_\_, 2009.
- ☐ A Loss Mitigation Request was filed by a creditor on *[Date]* \_\_\_\_\_, 2009.
- ☐ The Court raised the possibility of loss mitigation, and the parties have had notice and an opportunity to object.

Upon the foregoing, it is hereby

**ORDERED**, that the following parties (collectively, the “Loss Mitigation Parties”) are directed to participate in loss mitigation:

1. The Debtor
2. \_\_\_\_\_, the Creditor with respect to  
\_\_\_\_\_ *[describe Loan and/or Property]*.
3.  
*[Additional parties, if any]*

It is further **ORDERED**, that the Loss Mitigation Parties shall comply with the Loss Mitigation Procedures annexed to this Order; and it is further

**ORDERED**, that the Loss Mitigation Parties shall observe the following deadlines:

1. Each Loss Mitigation Party shall designate contact persons and disclose contact information by \_\_\_\_\_ *[suggested time is 7 days]*, unless this information has been previously provided. As part of this obligation, **a Creditor shall furnish each Loss Mitigation Party with written notice of the name, address and direct telephone number of the person who has full settlement authority.**
2. Each Creditor that is a Loss Mitigation Party shall contact the Debtor within **14 days of the date of this Order.**
3. Each Loss Mitigation Party must make their information request, if any, within **14 days of the date of this Order.**
4. Each Loss Mitigation Party shall respond to an information request within **14 days after an information request is made, or 7 days prior to the Loss Mitigation Session, whichever is earlier.**

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<sup>1</sup> All capitalized terms have the meanings defined in the Loss Mitigation Procedures.

5. The Loss Mitigation Session shall be scheduled not later than \_\_\_\_\_ *[suggested time is within 35 days of the date of the order]*.
6. The loss mitigation period shall terminate on \_\_\_\_\_ *[suggested time is within 42 days of the date of the order]*, unless extended as provided in the Loss Mitigation Procedures.

It is further **ORDERED**, that a status conference will be held in this case on \_\_\_\_\_ *[suggested time is within 42 days of the date of the order]* (the “Status Conference”). The Loss Mitigation Parties shall appear at the Status Conference and provide the Court with a verbal Status Report unless a written Status Report that is satisfactory to the Court has been filed not later than 7 days prior to the date of the Status Conference and requests that the Status Conference be adjourned or cancelled; and it is further

**ORDERED**, that at the Status Conference, the Court may consider a Settlement reached by the Loss Mitigation Parties, or may adjourn the Status Conference if necessary to allow for adequate notice of a request for approval of a Settlement; and it is further

**ORDERED**, that any matters that are currently pending between the Loss Mitigation Parties (such as motions or applications, and any objection, opposition or response thereto) are hereby adjourned to the date of the Status Conference to the extent those matters concern (1) relief from the automatic stay, (2) objection to the allowance of a proof of claim, (3) reduction, reclassification or avoidance of a lien, (4) valuation of a Loan or Property, or (5) objection to confirmation of a plan of reorganization; and it is further.

**ORDERED**, that the time for each Creditor that is a Loss Mitigation Party in this case to file an objection to a plan of reorganization in this case shall be extended until 14 days after the termination of the loss mitigation period, including any extension of the Loss Mitigation period.

Dated: Poughkeepsie, New York  
\_\_\_\_\_, 2009

BY THE COURT

\_\_\_\_\_  
*United States Bankruptcy Judge*